

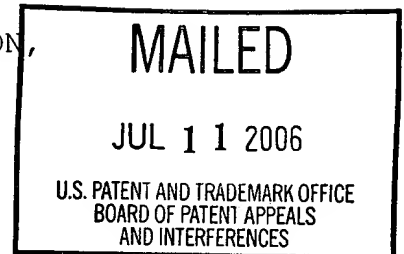
The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY R. SAMPSON, JOEL MYERSON,
ANNA M. TSALENKO, NICHOLAS M. SAMPAS,
PETER G. WEBB and ZOHAR H. YAKHINI

Application No. 09/836,012



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 8, 2006. A review of the application has determined that the application is not ready for docketing as an appeal. Accordingly, the application is herewith returned to the Examiner. The matter requiring attention prior to docketing is identified below:

Appellants faxed an Appeal Brief in accordance with 37 CFR § 41.37(c) which was received by the USPTO on January 23, 2006. The following deficiency was found, therefore requiring immediate attention and correction:

The content listed under the "**V. SUMMARY OF CLAIMED**

SUBJECT MATTER" does not meet the requirements of 37 CFR

§ 41.37(c)(1)(v) which states:

A concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. [§] 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

Correction is required.

Accordingly, it is

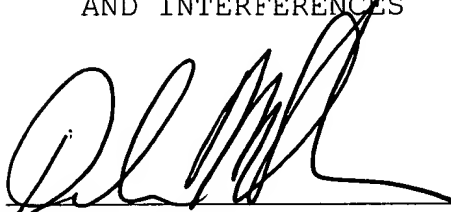
ORDERED that the application is returned to the

Examiner

(1) to have the Appellants submit a Supplemental Appeal Brief in compliance with 37 CFR § 41.37(c)(1)(v);
and

(2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

A handwritten signature in black ink, appearing to read 'DMS', is written over a horizontal line.

DALE M. SHAW

Deputy Chief Appeal Administrator
(571) 272-9797

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DMS/hh